

Dhekiajuli PS Case No-299 of 2022
GR Case No-2082 of 2022
U/S-366 of Indian Penal Code

ORDER

11.10.2022

Case record put up today along with bail application no-1352/2022 filed by petitioner namely, Md. Abdul Kadir praying bail of the accused person, namely, Md. Hussain Ali. Heard learned counsels of both sides on the instant petition. Also perused the instant petition. The learned advocate of the petitioner has submitted that the above-named accused person is innocent and no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that in the event of his release of bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of accused person.

The prosecution story in brief is as follows that complainant Sri Mithuram Rajowar has lodged the ejahar to the effect that on 01.10.2022 at about 10 AM, his sister, namely, Miss "X" (name withheld) was missing and on being enquired he came to know that the above-named accused kidnapped his minor sister. Hence, the prosecution case.

The case is under initial stage and the alleged offence is non-bailable and cognizable in nature. The alleged offence of section-366 of IPC is exclusively triable by Hon'ble Court of Sessions. At this stage, if the accused person is released on bail, the whole process of investigation of this case will be hampered. So, under such circumstances, considering the gravity and seriousness of offence alleged against accused person and the initial stage of investigation, I find that this is not a case where the accused person can be relied upon and enlarged on bail.

11.10.2022

Accordingly, the bail petition No-1352/2022 filed on behalf of the above-named accused person stands rejected.

Inform all the concerned.

Sri Nabajit Bhatta
Chief Judicial Magistrate
Sonitpur, Tezpur